

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

RAMOT AT TEL AVIV UNIVERSITY LTD.,

Plaintiff,

v.

CISCO SYSTEMS, INC.,

Defendant.

Case No. 2:19-cv-00225-JRG

JURY TRIAL DEMANDED

JOINT STATUS REPORT

Pursuant to the Court’s Standing Order Requiring Notice of Relevant Determinations From Related Proceedings in Cases Assigned to United States District Judge Rodney Gilstrap and the Court’s January 13, 2021 Order (Dkt. 235), Plaintiff Ramot at Tel Aviv University Ltd (“Ramot”) and Defendant Cisco Systems, Inc. (“Cisco”) hereby submit the following status report regarding the *Ex Parte* Reexamination proceedings before the United States Patent and Trademark Office (“USPTO”).

Ramot asserts three patents against Cisco in this action: U.S. Patent Nos. 10,033,465 (the “’465 Patent”), 10,270,535 (the “’535 Patent”), and 10,461,866 (the “’866 Patent”) (collectively, the “Asserted Patents”). With respect to the last status report submitted to the Court, the USPTO has issued a reexamination certificate for the ’535 patent on February 2, 2024 to close prosecution on the merits, while three reexamination proceedings remain pending. The statuses of the six closed reexamination proceedings and three pending reexamination proceedings are shown in the table below. The three pending reexaminations on the ’535, ’465 and ’866 Patents, asserting the same references that were raised in proceedings 90/014,606, 90/014,608 and 90/014,607, have

been filed involving all claims asserted against Cisco in this action. The filed proceeding (90/015,280) on the '866 Patent has been instituted. The filed proceeding (90/019,333) on the '465 Patent is awaiting institution decision, which is due no later than March 13, 2024. The filed proceeding (90/019,420) on the '535 Patent is awaiting institution decision, which is due no later than May 15, 2024.

The parties will provide a further update on the status of the pending '535, '465 and '866 Patent reexaminations in their next status report.

Reexamination Application No.	Challenged Patent	Reexamination Filing Date	Current Status
90/014,528	'465 Patent	June 9, 2020	Merged with Reexamination No. 90/014,607 on March 12, 2021, merged with Reexamination No. 90/014,728 on October 21, 2021, and all challenged claims amended on November 22, 2021. Amended claims subsequently rejected on March 10, 2022. Ramot submitted Office Action Response on May 10, 2022. Examiner issued final rejection on April 21, 2023. Ramot amended claims again on May 3, 2023. On May 14, 2023, the amended claims were rejected in an Office Action. Ramot submitted an Office Action Response on July 14, 2023. Reexamination Certificate issued on October 30, 2023.
90/014,607	'465 Patent	November 10, 2020	Merged with Reexamination No. 90/014,528 on March 12, 2021, merged with Reexamination No. 90/014,728 on October 21, 2021. See above.

Reexamination Application No.	Challenged Patent	Reexamination Filing Date	Current Status
90/019,333	'465 Patent	December 13, 2023	Pending. Deadline for institution on March 13, 2024.
90/014,527	'535 Patent	June 9, 2020	<p>All challenged claims rejected on November 27, 2020; amended March 29, 2021; rejected November 4, 2021; amended on January 4, 2022; and subsequently rejected on February 24, 2022.</p> <p>Ramot filed notice of appeal with the Patent Trial and Appeal Board on April 25, 2022, and filed appeal brief on June 27, 2022.</p> <p>Examiner filed answer to appeal brief on February 6, 2023.</p> <p>Ramot filed reply and appeal was submitted to the Board on April 6, 2023.</p> <p>Patent Trial and Appeal Board held a hearing in the appeal on July 10, 2023.</p> <p>On August 8, 2023, the Patent Trial and Appeal Board reversed the Examiner' rejection of the amended claims.</p> <p>Notice of Intent to Issue a Reexamination Certificate issued on December 19, 2023.</p> <p>Reexamination Certificate issued on February 2, 2024.</p>
90/014,606	'535 Patent	November 10, 2020	Merged with reexamination 90/014,527 on May 26, 2021. See above.

Reexamination Application No.	Challenged Patent	Reexamination Filing Date	Current Status
90/019,420	'535 Patent	February 15, 2024	Pending. Deadline for institution on May 15, 2024.
90/014,526	'866 Patent	June 9, 2020	<p>All challenged claims rejected on October 20, 2020; amended March 17, 2021; amended claims rejected September 8, 2021 and amended again November 8, 2021; and rejected again January 10, 2022.</p> <p>Ramot filed notice of appeal with the Patent Trial and Appeal Board on March 10, 2022, and filed appeal brief on May 10, 2022.</p> <p>Examiner filed answer to appeal brief on July 20, 2022.</p> <p>Patent Trial and Appeal Board held hearing in appeal on December 15, 2022.</p> <p>Patent Trial and Appeal Board reversed Examiner's rejection on January 23, 2023.</p> <p>Notice of intent to issue Reexamination Certificate issued on May 9, 2023.</p> <p>Reexamination Certificate issued on July 6, 2023.</p> <p>Request for Certificate of Correction on July 21, 2023.</p> <p>Certificate of Correction issued on August 22, 2023.</p>
90/014,608	'866 Patent	November 10, 2020	<p>Merged with 90/014,526 on March 12, 2021.</p> <p>See above.</p>

Reexamination Application No.	Challenged Patent	Reexamination Filing Date	Current Status
90/015,280	'866 Patent	August 29, 2023	Reexamination on all challenged claims ordered on November 24, 2023.

Dated: March 1, 2024

Respectfully submitted,

/s/ Melissa R. Smith

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 1st day of March, 2024, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3).

/s/ Melissa R. Smith

Melissa R. Smith